

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EMMIE REED,  
Plaintiff,

v.

NANCY TALAJKOWSKI, et al.,  
Defendants.

Case No. [13-cv-05706-JST](#)

**ORDER DISMISSING ACTION  
WITHOUT PREJUDICE FOR FAILURE  
TO PROSECUTE**

Re: ECF No. 13

This action for employment discrimination was reassigned to this Court on January 6, 2014. A motion to dismiss the complaint was filed by the United States on December 20, 2013, and is currently pending. The basis for the motion is that the Court lacks subject matter jurisdiction over the action and that the complaint fails to state a claim upon which relief can be granted. The deadline to file a response to the motion was January 3, 2014. As of the date of this order, Plaintiff Reed, who is appearing pro se, has not filed a response.

The Court issued an order to show cause, in writing, why this action should not be dismissed for failure to prosecute on January 8, 2014. The Court stated in that order that “[a] failure to respond to this order will result in the dismissal of this action.” ECF No. 13. The Court also encouraged Reed to seek the assistance of the Legal Help Center in prosecuting her claims. Id. The deadline to file a response to this order was January 30, 2014. Reed has not filed a response to this order. Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute. The Clerk shall terminate this action.

**IT IS SO ORDERED.**

Dated: February 4, 2014

  
JON S. TIGAR  
United States District Judge